

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEAN LIN,

Plaintiffs,

07-CV-3218 (Judge Holwell)

- against -

NOTICE OF CROSS-MOTION

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

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PLEASE TAKE NOTICE THAT, upon the annexed affidavit of Eric Dinnocenzo, sworn to on the 1ST day of August, 2008, with exhibits, the Memorandum of law in support of plaintiff's opposition to defendant's motion for summary judgment and cross-motion *in limine* for an order precluding the expert testimony of Daniel Zamarippa, M.D. and David Clain, M.D., and the pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Richard J. Holwell, at the Courthouse located at 500 Pearl Street, New York, New York, for an order denying the defendant's Motion for Summary Judgment and granting plaintiff's Cross-Motion to Strike/*In Limine* for an order precluding: (a) MetLife's medical director, Daniel Zamarippa, M.D. from offering expert medical opinions relating to hepatitis B at the summary judgment stage or at trial; and (b) precluding its expert witness, David Clain, M.D., from offering an expert opinion at the summary judgment stage or at trial concerning the effect of hepatitis B on the mortality of Bang Lin.

Plaintiff respectfully requests that oral argument be allowed.

Dated: New York, New York
August 1, 2008

TRIEF & ODK

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